

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|----------------------------------|-------------------|--------------------------|
| OCEAN TOMO LLC |) | |
| |) | |
| | Plaintiff, | |
| v. |) | NO. 1:22-cv-04966 |
| |) | |
| GOLABS, INC. d/b/a GOTRAX |) | |
| |) | |
| | Defendant. | |
| |) | |
| |) | |
| |) | |

NOTICE OF REMOVAL

Defendant Golabs, Inc. d/b/a GOTRAX, pursuant to 28 U.S.C. §§ 1332 and 1441, files this Notice of Removal of this action from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division, the Court for the district and division encompassing the place where the lawsuit is currently pending. In support thereof, Defendant respectfully shows the Court as follows.

1. On August 27, 2021, Plaintiff Ocean Tomo, LLC filed Plaintiff's Complaint for Unpaid Consulting Fees (the "Complaint") in the Circuit Court of Cook County, Illinois styled *Ocean Tomo, LLC v. Golabs, Inc. d/b/a GOTRAX*, where it was assigned Case No. 2022L005982.
2. True and correct copies of the state court docket sheet and all court process, pleadings, and the orders served upon Defendants in the state court action are being filed with this notice as required by 28 U.S.C. § 1446(a), and attached hereto as Exhibit A.
3. Although an attempt to serve the Complaint in Texas was previously made, the parties agreed that Defendant will waive service of process as of August 29, 2022, the day its registered

agent first received a copy of the Complaint, and the answer or other response shall be due on September 13, 2022. This Notice of Removal is therefore timely pursuant to 28 U.S.C. § 1446.

4. A true copy of this Notice of Removal will be filed with the Clerk of the District Court of the 193rd Judicial District for Dallas County, Texas, as required by law. A copy of the Notice of Filing of Notice of Removal is attached hereto as Exhibit B.

5. Defendants are also filing contemporaneously with this Notice a civil cover sheet, a supplemental civil cover sheet, and a separately signed certificate of interested persons and disclosure statement.

GROUND FOR REMOVAL – DIVERSITY

6. This court has original jurisdiction over this case under 28 U.S.C. § 1332 because this is a civil action between citizens of different States, and where the amount in controversy exceeds \$75,000.00.

7. A corporation “shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business” 28 U.S.C. § 1332(c)(1).

8. Plaintiff Ocean Tomo is a limited liability corporation organized under the Illinois, with its principal place of business at 200 W. Madison 37th Floor, Chicago, Illinois. (Complaint ¶ 2). Plaintiff is, therefore, a citizen of Illinois.

9. Defendant is a Texas corporation with its principal place of business in Texas. (*Id.* ¶ 3). Defendant is therefore a citizen of Texas.

10. Plaintiff seeks monetary compensation in the amount of at least \$189,895.00. (*Id.* at 8).

WHEREFORE, Defendant prays that the above-described action now pending in the Circuit Court of Cook County, Illinois be removed to this Court.

Dated: September 13, 2022

Respectfully submitted,

By: /s/ Maurice Grant
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CERTIFICATE OF SERVICE

This is to certify that on September __ , 2022, a true and correct copy of the foregoing Notice of Removal has been furnished to Plaintiffs' counsel of record via electronic mail in accordance with the Federal Rules of Civil Procedure.

/s/